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Illinois Board of Ethics

AN INTRODUCTION

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Illinois Board of Ethics

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Introduction

Governor James R. Thompson established the Board of Ethics to administer a personal economic disclosure program covering approximately 5,000 appointees and employees under the terms of Executive Order 3 (1977), as amended. The Board consists of three members, all of whom are appointed by the Governor and serve at his pleasure. Members receive no compensation for their services, but are reimbursed for actual expenses incurred in the performance of their duties. The Governor designates the Chairman.

Illinois governors have used the executive order since 1967 to establish and enforce ethical standards for officers

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and employees under their jurisdiction. Governors Kerner, Ogilvie, and Walker promulgated new orders or extended existing orders pertaining to governmental ethics and financial disclosure.

Personal Economic Disclosure

Who Must File — The jurisdiction of the Board of Ethics typically extends to:

- a. Each appointed person subject to the Board's jurisdiction. *
(* Does not cover members of the judicial branch and the General Assembly or an appointee to a board or commission which, in the judgment of the Board of Ethics, performs a purely advisory function).
- b. Each employee in any subject agency if the employee has authority to sign vouchers or has major responsibility in any of the following areas: contracts, licenses, the financial inspection of regulated entities, the promulgation of rules and regulations, or such other duties which the Board determines to have the potential for a material conflict of interest.

What Must Be Filed — Executive Order 3 (1977) requires disclosure of certain financial interests and associations which may create the potential for a conflict between the individual's official

responsibilities and his or her personal financial interests. The following items are subject to disclosure:

1. Each business "entity" (defined in the Order to include sole proprietorships, partnerships, and corporations) in which the person filing the Statement has a beneficial investment having a value in excess of \$1,000. However, an investment consisting of corporate stock which is traded on a recognized exchange need not be disclosed unless its fair market value on the date of filing exceeds \$20,000.
2. Each entity from which the person has received income in the preceding calendar year for services rendered.
3. Each entity for which the person serves as an officer, director, partner, employee, or in any fiduciary capacity (also includes disclosure of not-for-profit entities other than those of a political or religious nature).
4. Each outstanding liability in excess of \$500 for borrowing by the person from anyone other than a state or federally regulated financial institution or a family member.
5. The location of all real property in Illinois (other than the personal residence) in which the person has a beneficial interest with a fair market value in excess of \$5,000.

6. The nature of any professional or occupational licenses held by the person.
7. All gifts and honoraria of an aggregate value of \$50 or more received in the preceding calendar year from any source doing business with or regulated by the State.
8. Any additional property, income, economic interest or association which creates or could give rise to a conflict of interest.

The Order also requires disclosure of the interests of the spouse and immediate family living with the person making the Statement. However, the Board may, on a case by case basis, determine the scope and application of this provision to alleviate undue hardship.

Compliance Activity

Statements of Economic Interest are filed with the Board of Ethics by April 30 of each year or within 30 days of becoming subject to Executive Order 3 (1977), whichever is later. The Board reviews its records to identify persons in noncompliance with the Order and will make public the name of each person subject to the Board's jurisdiction who has failed, after due notice, to file a Statement. Compliance with the terms of Executive Order 3 has been excellent.

The term "Statement of Economic Interest" also identifies the form used by

state and local officials and employees to comply with the disclosure requirements found in the Illinois Governmental Ethics Act (Ill. Rev. Stat. 1981, Ch. 127, sec. 601-101 et seq.). While the disclosure requirements are different, some appointees and employees file disclosure statements under the Ethics Act and Executive Order 3 (1977).

Penalties — Executive Order 3 states: “The failure to make a timely filing of the Statement of Economic Interest, the willful making of a false, misleading or incomplete statement and the failure to cooperate with the Board shall be grounds for disciplinary action, including dismissal.”

Public Inspection of Statements

Statements filed with the Board of Ethics are open to public inspection (including photoreproduction) to anyone who completes an inspection form. A copy of this form is maintained in the file of the person whose Statement is inspected and is available for inspection only by such person, the Board and the Board's staff.

Board Review of Statements

Each Statement on file with the Board is checked for possible conflicts of interest or other impropriety as required by Executive Order 3. In those instances where potential conflicts are detected, the Board alerts the appointee or employee to the problem and seeks to resolve the conflict.

Conflict of Interest Rulings

The Board of Ethics is mandated by Executive Order 3 (1977) to offer “reasonable assistance” to persons subject to its jurisdiction. In an effort to fulfill its responsibility to appointees and employees who have questions relating to potential conflicts of interest, the Board prepares interpretative letters in response to written inquiries from such individuals. By rule of the Board, all such requests are confidential as to the identity of the requester, although the Board may publish an ethics interpretation based upon the facts of a particular inquiry with sufficient alterations to protect the identity of the individual. Ethics interpretations are not advisory opinions of a legal nature, but are intended to serve as guides to appropriate conduct for persons in similar situations.

Agencies Covered by Executive Order 3 (1977)

Code Departments

Aging	Law Enforcement
Agriculture	Mental Health
Central Management Services	Mines and Minerals
Children and Family Services	Nuclear Safety
Commerce and Community Affairs	Public Aid
Conservation	Public Health
Corrections	Registration and Education
Energy and Natural Resources	Rehabilitation Services
Financial Institutions	Revenue
Human Rights	Transportation
Insurance	Veterans' Affairs
Labor	

Other Agencies, Boards and Commissions

Aeronautics Board
Ambulatory Surgical Treatment Center Licensing Board
Arts Council
Board of Banks and Trust Companies
Commissioner of Banks and Trust Companies
Board of Boiler Rules
Bureau of the Budget
Capital Development Board
Civil Service Commission
Coal Research Board
Office of Collective Bargaining
Board of Governors State Colleges and Universities
Commerce Commission
Community College Board
Board of Trustees of the State Community College
of East St. Louis
Criminal Justice Information Authority
Court of Claims
Dangerous Drugs Commission
Developmental Disabilities Protection
and Advocacy Board
State Board of Education
Educational Facilities Authority
Board of Higher Education
Independent Higher Education Loan Authority
State Board of Elections
Emergency Services and Disaster Agency
State Employees' Retirement System
Endangered Species Protection Board
Environmental Facilities Financing Authority
Environmental Protection Agency
Board of Ethics
Farm Development Authority
Office of the State Fire Marshal
Office of the Governor
Governor's Planning Council
on Developmental Disabilities
Governor's Purchased Care Review Board
Guardianship and Advocacy Commission
Statewide Health Coordinating Council
Health Facilities Authority
Health Facilities Planning Board
State Historical Library
Hospital Licensing Board
Housing Development Authority
Human Rights Commission
Industrial Commission
Industrial Development Authority

State Board of Investment
Judicial Inquiry Board
Juvenile Justice Commission
Department of Law Enforcement Merit Board
Liquor Control Commission
Local Governmental Law Enforcement Officers
Training Board
Lottery Control Board
State Mandates Board of Appeals
Medical Center Commission
Medical Determinations Board
Military and Naval Department
State Mining Board
Board of the Illinois State Museum
Board of Natural Resources and Conservation
Nature Preserves Commission
Pollution Control Board
Prisoner Review Board
Property Tax Appeal Board
Racing Board
Board of Regents
Board of Review
State Sanitary District Observer
Savings and Loan Board
Office of the Savings and Loan Commissioner
State Scholarship Commission
Select Joint Committee on Regulatory Agency Reform
Southern Illinois University Board of Trustees
Board of Trustees of the Teachers' Retirement System
State Toll Highway Authority
Governor's Travel Control Board
Bi-State Development Agency
Capital City Railroad Relocation Authority
Chicago Regional Port District Board
Chicago Transit Authority
Chicago Urban Transportation District Board
Havana Regional Port District Board
Illinois Valley Regional Port District Board
Jackson-Union Counties Regional Port District Board
Joliet Regional Port District Board
Kaskaskia Regional Port District
Lawrenceville-Vincennes Airport Authority
Metropolitan Fair and Exposition Authority
Mt. Carmel Regional Port District Board
Seneca Regional Port District Board
Shawneetown Regional Port District Board
Southwest Regional Port District Board
St. Louis Metropolitan Area Airport Authority
Tri-City Regional Port District Board
Waukegan Port District Board
White County Port District Board



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Examining and Licensing Boards and Committees

Miners' Examining Board
State Board of Plumbing Examiners
Water Well and Pump Installation Contractors
Licensing Board
Architect Examining Committee
State Athletic Board
Barber Examining Committee
Beauty Culture Examining Committee
Certified Shorthand Reporters Board of Examiners
Dental Examining Committee
Detection of Deception Examining Committee
Detective Examining Committee
Funeral Directing and Embalming Examining Committee
Land Surveyors Examining Committee
Medical Examining Committee
Medical Disciplinary Board
Committee of Nurse Examiners
Nursing Home Administrators Licensing Board
Optometric Examining Committee
State Board of Pharmacy
Physical Therapy Examining Committee
Podiatry Examining Committee
Professional Engineering Examining Committee
Psychologist Examining Committee
Public Accountancy Examining Committee
Real Estate Examining Committee
Social Workers Examining Committee
Structural Engineering Examining Committee
Tree Experts Examining Committee
Veterinary Examining Committee

Illinois Department of
Central Management Services